

SENATE BILL NO. 2089

Introduced by

Political Subdivisions Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact section 51-05.1-01.1 of the North Dakota Century
2 Code, relating to revocation of auctioneer and clerk licenses.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 51-05.1-01.1 of the North Dakota Century Code
5 is amended and reenacted as follows:

6 **51-05.1-01.1. Auctioneer's license - Clerk's license - Fees - Bonds.**

- 7 1. The initial application for an annual auctioneer's or clerk's license must be in
8 writing, verified, and must show the name, residence, and address of the applicant.
9 An application must be filed at least ten days prior to the first auction sale the
10 applicant is to conduct or clerk. Application for renewal of an annual license must
11 be on forms designated by the commission. The fee for the annual license or
12 renewal is thirty-five dollars and must accompany the application. The name and
13 license number must appear on all advertising of sales conducted by an auctioneer
14 or clerk. Renewals that are not received by January thirty-first must be assessed
15 an additional twenty-five dollar fee.
- 16 2. Before a license is issued to an auctioneer or ~~an auction~~ clerk, the applicant must file
17 a corporate surety bond with the commission. This bond must provide annual
18 coverage of not less than five thousand dollars for an auctioneer or ten thousand
19 dollars for ~~an auction~~ a clerk, must run to the state of North Dakota, and must be
20 for the benefit of any person injured by the licensee's improper conduct. Bonds
21 may not be canceled on less than sixty days' written notice to the commission.
22 When notice of cancellation is received by the commission, the commission,
23 without hearing, shall revoke the license for which the bond was issued effective
24 with the effective date of the cancellation, unless the licensee files a new bond or

- 1 evidence that the bond will be reinstated before the effective date of the
- 2 cancellation. The size of the licensee's bond must be clearly and prominently
- 3 stated in all contracts with sellers.